



MEMO ENDORSED

U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

September 17, 2023

BY ECF AND EMAIL

The Honorable Andrew L. Carter
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007
ALCarterNYSDChambers@nysd.uscourts.gov

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Re: *United States v. Rosario*, 23 Cr. 470 (ALC)

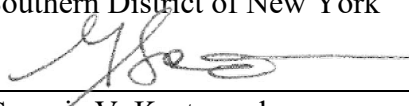
Dear Judge Carter:

The Government respectfully submits this letter to move with the defense's consent to adjourn the initial pre-trial conference currently scheduled for Tuesday, September 19, 2023. Defense counsel has informed the Government that the defense has a scheduling conflict during the initial scheduled conference. The parties have conferred and are available on Thursday, September 21, 2023 at noon, at which time we understand the Court is also available. The parties are also available on Friday, September 22, 2023, or at such other time as would be convenient for the Court.

In the event the Court grants the adjournment, the Government also respectfully moves, with the defense's consent, to exclude time under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*, between September 19, 2023, and the date of the adjourned conference. Excluding this time would serve the ends of justice by providing both parties to proceed with negotiating a protective order and exchanging discovery, outweighing the best interests of the public and the defendant in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A), (B)(iv).


Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

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Cc: Sylvie Levine, Esq. (via ECF)

The application is **GRANTED**. The status conference is adjourned to 9/21/23 at 2:30 p.m. Time excluded from 9/19/23 to 9/21/23 in the interest of justice.

So Ordered.  9/18/23